

REMARKS

In the patent application, claims 1-32 are pending. In the office action, all pending claims are rejected.

Applicant has amended claims 1, 7, 12, 13, 19, 22, 26, 27, 31 and 32, canceled claim 2, and added new claims 33-41.

The support of the amendment to claims 1, 19, 22, 26, 27, 31 and 32 can be found on p. 1, lines 9-10; and p.3, lines 9-18. The support of the amendment to claim 7 can be found on p.7, lines 20-21. The support for claim 12, can be found on p.20, lines 5-17. The support for claim 13 can be found on p.15, line 27 to p.16, line 1. The support for new claims 33, 37-41 can be found on p.14, line 27 – p.15, line 1; and p.20, line 16-19. The support for claim 34 can be found on p.3, lines 9-11. The support for claim 35 can be found on p.3, lines 14-18. The support for claim 36 can be found in claim 32.

No new matter has been introduced

At section 2 of the office action, claim 7 is rejected under 35 U.S.C. 112, first paragraph for containing terms inconsistent with the disclosure. Applicant has amended claim 7 as suggested by the examiner to overcome this 112 rejection.

At section 4, claims 2, 7, 12, 13, 18 and 22 are rejected 35 U.S.C. 112, second paragraph, as being indefinite.

Applicant has canceled claim 2 and amended claims 7, 12, 13 and 22 to overcome this 112 rejection.

As for claim 18, the term “unquantized” is described on p.13, lines 8 - 11.

Applicant respectfully requests the Examiner to withdraw the 112 rejection on claims 7, 12, 13, 18 and 22.

At page 4 of the office action, claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by *Gersho et al.* (U.S. Patent No. 6,311,154, hereafter referred to as *Gersho '154*). The Examiner states that *Gersho '154* discloses an encoding method as claimed.

Applicant has canceled claim 12.

It is respectfully submitted that the claimed invention is concerned with a parametric-type encoding method wherein a parametric speech production model is used to obtain a set of parameters from the audio signal so as to produce a further audio signal in the decoder based on the parameters. In contrast, *Gersho '154* discloses a CELP-type encoding method. A CELP coder, as known in the art, is an example of an Analysis-by-Synthesis (AbS) coder. In a CELP coder, waveform matching is performed on the coder output speech, which is reconstructed from code excitation candidates. *Gersho '154* is irrelevant to the claimed invention.

For that reason, claims 1-11 and 13 are distinguishable over the *Gersho '154* reference.

At page 8 of the office action, claims 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Gersho '154* in view of *Gersho* (IEEE-94).

At page 10, claims 19-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Gersho '154*.

As with reasons regarding claims 1-11 and 13 above, *Gersho '154* and *Gersho* (IEEE-94) are concerned with a CELP-type audio coder and, therefore, irrelevant to the claimed invention.

As for new claims 33 - 41, they are dependent from claims 1, 19, 22, 26 and 31 and recite features not recited in claims 1, 19, 22, 26 and 31. For reasons regarding claims 1, 19, 22, 26 and 31 above, it is respectfully submitted that claims 33 - 41 are also distinguishable over the cited *Gersho '154* and *Gersho* (IEEE-94) references.

CONCLUSION

As amended, claims 1-11, 13- 41 are allowable. Early allowance of these claims is earnestly solicited.

Respectfully submitted,



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